

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA  
RENO, NEVADA**

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>Plaintiff,</b>	)	<b>3:15-cr-00019-HDM-WGC</b>
	)	
<b>vs.</b>	)	
	)	<b>MINUTES OF COURT</b>
<b>ERIC ERCELLUS SUDDUTH,</b>	)	
	)	
<b>Defendant.</b>	)	<b>Tuesday, November 10, 2015</b>
	)	

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**PROCEEDINGS: EVIDENTIARY HEARING RE: [48] MOTION TO SUPPRESS EVIDENCE**

**PRESENT:**

**THE HONORABLE HOWARD D. McKIBBEN, SENIOR U.S. DISTRICT JUDGE**

**Deputy Clerk: Paris Rich      Reporter: Kathryn French**

**Counsel for Plaintiff: Megan Rachow, AUSA**

**Counsel for Defendant: Leah Wigren, CIA**

At 10:00 a.m., the Court convenes.

The Defendant (In Custody) is present with counsel.

On behalf of the Government, Ms. Rachow is present with Norm Bergeron, Case Agent with Alcohol, Tobacco, Firearms and Explosives (ATF).

The Court recites preliminary statements and requested areas of focus as to [48] Motion to Suppress Evidence.

DAMIAN BOECKMAN, Officer, Reno Police Department, called on behalf of the Government, is sworn, examined on direct by Ms. Rachow, examined by the Court, cross-examined by Ms. Wigren, and excused.

**IT IS ORDERED, the Government's Exhibit 1 is received into evidence.**

RYAN GOTT, Officer, Reno Police Department, called on behalf of the Government, is sworn, examined on direct by Ms. Rachow, examined by the Court, cross-examined by Ms. Wigren, and excused.

At 10:50 a.m., Ms. Wigren requests the rule of exclusion be invoked. **IT IS SO ORDERED.** The remaining Government witnesses exit the courtroom.

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**IT IS ORDERED, the Defendant's Exhibit 15 is received into evidence.**

At 11:28 a.m., the Court stands at recess.

At 11:44 a.m., the Court reconvenes.

The Defendant (In Custody) is present with counsel.

On behalf of the Government, Ms. Rachow is present with Norm Bergeron, Case Agent with Alcohol, Tobacco, Firearms and Explosives (ATF).

BYRON CRAGG, Officer, Reno Police Department, called on behalf of the Government, is sworn, examined on direct by Ms. Rachow, examined by the Court, cross-examined by Ms. Wigren, further examined by the Court, further cross-examined by Ms. Wigren, and excused.

**IT IS ORDERED, the Defendant's Exhibits 11, 12, and 13 are received into evidence.**

The Government rests.

At 12:41 p.m., the Court stands at recess.

At 12:59 p.m., the Court reconvenes.

The Defendant (In Custody) is present with counsel.

On behalf of the Government, Ms. Rachow is present with Norm Bergeron, Case Agent with Alcohol, Tobacco, Firearms and Explosives (ATF).

LANCE TINDELL, Officer, Reno Police Department, called on behalf of the Defendant, is sworn, examined on direct by Ms. Wigren, cross-examined by Ms. Rachow, examined on redirect by Ms. Wigren, and excused.

**IT IS ORDERED, the Defendant's Exhibit 16 is received into evidence.**

DANIEL KNOX, Officer, Reno Police Department, called on behalf of the Defendant, is sworn, examined on direct by Ms. Wigren, cross-examined by Ms. Rachow, examined on redirect by Ms. Wigren, and excused.

The Defense rests.

**IT IS ORDERED, the Government shall provide Officer Knox's report to the Defense.**

On behalf of the Government, Ms. Rachow presents closing argument.

On behalf of the Defendant, Ms. Wigren presents closing argument.

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Ms. Rachow presents rebuttal argument.

At 1:53 p.m., [48] Motion is submitted. The Court stands at recess until 4:00 p.m. this date.

At 4:02 p.m., the Court reconvenes.

The Defendant (In Custody) is present with counsel.

On behalf of the Government, Ms. Rachow is present with Norm Bergeron, Case Agent with Alcohol, Tobacco, Firearms and Explosives (ATF).

The Court recites findings and conclusions with respect to the Defendant's [48] Motion to Suppress Evidence.

**IT IS ORDERED, the Defendant's [48] Motion to Suppress Evidence is DENIED.**

**IT IS FURTHER ORDERED, Jury Trial (two day estimate) remains set for Wednesday, November 18, 2015 at 9:00 a.m. in Reno Courtroom 4 before Judge Howard D. McKibben.**

**IT IS FURTHER ORDERED, Proposed Jury Instructions and Proposed Voir Dire shall be due by Thursday, November 12, 2015 at 4:00 p.m. IT IS SO ORDERED.**

The Defendant is remanded to custody.

At 4:23 p.m., the Court adjourns.

**LANCE S. WILSON, CLERK**

By: /s/ Paris Rich  
Deputy Clerk